

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES



Ex parte YOSHINORI KAMI
and
HIDEAKI ISHII

Application 09/530,447

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on January 7, 2008. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being electronically returned to the examiner. The matter requiring attention prior to docketing is identified below:

An examination of the Image File Wrapper (IFW) reveals that an Examiner's Answer was mailed on December 14, 2007, in response to an

Appeal Center Return mailed August 15, 2007. Section 41.41(a)(1) of the Code of Federal Regulations (CFR) (2007) states:

(a)(1) Appellant may file a reply brief to an examiner's answer within two months from the date of the examiner's answer.

The due date for the Reply Brief is February 14, 2008. It appears that this application was prematurely forwarded to the Board of Patent Appeals and Interferences. Accordingly, this application is being returned to the examiner.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: Patrick J. Nolan
PATRICK J. NOLAN
Deputy Chief Appeal Administrator
(571) 272-9797

PJN:psb

Finnegan, Henderson, Farabow, Garrett & Dunner LLP
901 New York Avenue, N.W.
Washington, D.C. 20001-4413